

United States District Court

DEC 27 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Brandi Cavazos

YOB: 1998

Principal

United States

Case Number:

M-19-3170 -M

Melinda Hernandez

YOB: 2001

Co-Principal

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 26, 2019 in Hidalgo, Texas County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jose Guadalupe Sanchez-Rubio, citizen of Mexico, and Isauro David Diaz-Figueroa, citizen of Honduras, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Mission, Texas to the point of arrest in Mission, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On December 26, 2019, camera operators observed several suspected illegal aliens walking through the brush near the Anzalduas Park main entrance in Mission, Texas. This area is commonly used by smugglers to pick up illegal aliens due to the park being next to the Rio Grande River.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Reviewed: Mrid
12/27/19

Julio C. Peña

Signature of Complainant

Julio C. Peña Border Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

December 27, 2019

Date

3:49 pm

at

McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge

Name and Title of Judicial Officer

Peter E. Ormsby

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-3170-M

**RE: Brandi Cavazos
Melinda Hernandez**

CONTINUATION:

A short time later, camera operators advised mobile Border Patrol Agents that a vehicle approached the park's main entrance and the suspected aliens began to board it in a hurried manner. Additionally, camera operators relayed that one subject was placed in the vehicle's trunk. Suspecting that a smuggling attempt was taking place, mobile agents proceeded to the area and encountered the vehicle as it attempted to leave.

Mobile agents verified with camera operators that the vehicle they were following was the same one camera operators observed loading with several people. The agents immediately activated their emergency equipment to conduct a vehicle stop on a silver Nissan Altima.

The mobile agents approached the Altima and identified the driver as Brandi Cavazos, who claimed to be a United States Citizen. The front seat passenger was identified as Melinda Hernandez, a United States Citizen. Agents observed seven (7) more subjects crammed in the back seat. All seven (7) subjects were determined to be illegally present in the United States. Agents proceeded to check the trunk and discovered one (1) male subject who was illegally present in the United States.

At this time, Cavazos was read her Miranda Rights and placed under arrest along with Hernandez. Both were transported to the McAllen Border Patrol Station to be processed accordingly.

PRINCIPAL STATEMENT:

At the station, Brandi Cavazos was read her Miranda Rights. She understood and agreed to provide a sworn statement without the presence of an attorney.

Cavazos claimed her friend Melinda Hernandez asked her to help her pick up eight illegal aliens. Cavazos stated her friend Melinda was going to give her \$600 to transport the aliens to Palmview, Texas. Cavazos claimed that Melinda was receiving the instructions through cell phone as they attempted to pick up the aliens. Once at the pickup location, Cavazos claimed that Melinda exited the vehicle and instructed the aliens to board the vehicle.

Cavazos identified Hernandez, through a photo lineup, as her friend Melinda.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-3170 -M

**RE: Brandi Cavazos
 Melinda Hernandez**

CONTINUATION:

CO-PRINCIPAL STATEMENT:

Melinda Hernandez was read her Miranda Rights. She understood, however she refused to provide a sworn statement without the presence of an attorney.

MATERIAL WITNESSES STATEMENTS:

Jose Guadalupe Sanchez-Rubio and Isauro David Diaz-Figueroa were read their Miranda Rights. Both understood and agreed to provide a sworn statement without the presence of an attorney.

Sanchez, a citizen of Mexico, stated he made the smuggling arrangements and was going to pay \$1,500. After crossing the river, Sanchez claimed they were receiving instructions on where to go. Sanchez stated they proceeded north and then boarded a gray in color vehicle. Once inside the vehicle, Sanchez stated there was a female driving the vehicle.

Diaz, a citizen of Honduras, stated he made the smuggling arrangements and was going to pay \$1,000. Diaz stated he crossed the river along with seven (7) other subjects. Diaz stated the smugglers were communicating with them through his cell phone. Diaz claimed they were instructed on when to come out of the brush because a vehicle would be waiting to pick them up. Diaz stated the vehicle was gray in color with four doors and the driver was a female subject.